

REMARKS

The Detailed action dated October 30, 2007 is acknowledged. Claims 30-58 are pending in the instant application. Claims 46-55 and 57 have been withdrawn.

According to the Detailed action, newly submitted claims 30, 35-38, 41, 43, 44, 46, 47, 49, 50, 52, 54, 55 and 59-63 are directed to an invention that is independent and distinct from the invention as originally claimed. Specifically, the Examiner stated that independent claims 30, 62 and 63 are not regarded as being drawing to originally elected Figs. 1-8.

The Examiner noted that the recitations of "a locking handle moving a locking member" in claim 30, line 34 and "said locking handle...receiving a rotating and lateral force" in claim 30, lines 41-42 are not regarded as reading on elected Figs. 1-8. The Examiner also said these limitations are found in independent claims 62 and 63.

In the response to the Office action dated March 28, 2007, the Applicant included new paragraph [00043.1] in the substitute specification to define the locking member. Figs. 5 and 6 were amended to label these locking features which were shown in original Figs. 5 and 6. Therefore, new paragraph [00043.1] is supported by the original drawings, specifically elected Figs. 5 and 6. Applicant has included new paragraph [00043.1] below for ease of reference.

[00043.1] A lock assembly 33 is shown in Figs. 5 and 6. Lock assembly 33 includes a lock 34, a locking member 35 and a locking structure 37. Lock member 35 is connected to lock 34. Locking structure 37 is part of box action steel closer or upright 12 which is operably connected to locking member 35 when door 16 is in the locked or closed position. Fig. 6 shows locking member 35 in the open or unlocked position where locking structure 37 is not operably connected to locking member 35, while Fig. 5 shows the locked or closed position.

The Applicant respectfully submits that the phrase "a locking handle moving a locking member" is supported by paragraph [00043.1] and Figs. 5-6. Locking handle 50 is the D-handle 50. Locking member 35 is clearly shown in a "locked" position in Fig. 5 and an "unlocked" position in Fig. 6. The locking handle 50 is connected to lock 34 which in turn is connected to locking member 35. Lock 34 is conventional and is operated by keypad 36.

The recitation of "said locking handle...receiving a lateral force" is also fully supported by the original Figs. 5 and 6. The Applicant has deleted the word "rotating" to describe the force to move the door 16 in independent claims 30, 62 and 63. The lateral force is the same as the pressure which is exerted on D-handle 50 as described in amended paragraph [00049]. The Applicant has amended paragraph [00049], as noted above, to include the description of opening and closing door 16 which is clearly shown and supported by original Figs. 5 and 6. As explained in amended paragraph [00049], a person exerts a pressure on locking handle 50 which causes a "throw" or movement of the hinge assembly which in turn moves door 16. Fig. 5 clearly shows the lateral force or pressure exerted by a person is displayed as a solid arrow pointing at D-handle 50 to move door 16 into a locked or closed position. In Fig. 6, a solid arrow pointing away from D-handle 50 describes the lateral force or pressure to move door 16 into an unlocked or open position. During this unlocking movement, door hinge 22 rotates in a counterclockwise direction as shown by a curved arrow in Fig. 6. Similarly, door hinge 22 rotates in clockwise direction during the locking movement in Fig. 5. Therefore, the limitation of "said locking handle...receiving a lateral force" is fully supported by the

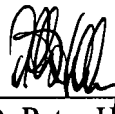
original Figs. 5 and 6.

The Applicant respectfully submits that the present amendment to claims 30, 62 and 63 is fully supported by the original elected Figs. 1-8. Subsequently, dependent claims 35-38, 41, 43, 44, 46, 47, 49, 50, 52, 54, 55 and 59-61 are also supported by Figs. 1-8. The Applicant requests that the present objection be removed and that the Applicant's response submitted herewith be examined on the merits. The Examiner is invited to call the undersigned if there are any remaining issues to be discussed which could expedite the prosecution of the present application.

Respectfully submitted,

Date: November 29, 2007

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